BALL JANIK LLP

ATTORNEYS

1455 F STREET, NW, SUITE 225 WASHINGTON, D.C. 20005

www.balljanik.com

TELEPHONE 202-638-3307 FACSIMILE 202-783-6947

kmorell@bjllp.com

KARL MORELL

August 13, 2008

E-FILE

Victoria Rutson Chief Section of Environmental Analysis Surface Transportation Board 395 E Street S.W. Washington, DC 20423

Re: STB Docket No. AB-1020X, East Penn Railroad, LLC - Abandonment

Exemption - In Berks and Montgomery Counties, Pennsylvania

Dear Ms. Rutson:

On June 4, 2008, we forwarded to you the Environmental Report and Historic Report in the above-captioned matter. On July 31, 2008, we forwarded to you the additional letter from the Bureau for Historic Preservation and fax from the U.S. Fish and Wildlife Service. Attached please find the letter we received from the Natural Resources Conservation Service.

Sincerely,

Karl Morell

Enclosure

(Morelf

United States Department of Agriculture



Natural Resources Conservation Service One Credit Union Place, Suite 340 Harrisburg, PA 1700-2993

July 29, 2008

Karl Morell Ball Janik, LLP 1455 F. Street, NW Suite 225 Washington, DC 20005

Re:

STB Docket o. AB-1020X, East Penn Railroad, LLC

Abandonment Exemption-In Berks and Montgomery Counties

Leesport, PA

As requested in a letter dated June 10, 2008, we have reviewed the project location for possible areas of concern to the USDA Natural Resources Conservation Service. Based on our review of the railroad project as described we determined there is no effect on prime agricultural land.

Contact me at (717) 237-2207 or at ed.white@pa.usda.gov for more information.

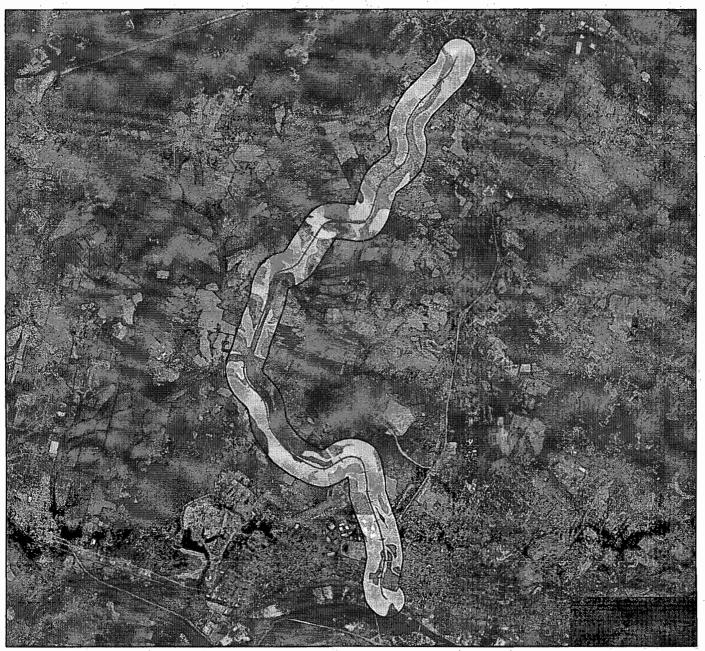
Edgar White

State Soil Scientist

cc: Nick Ramsey, District Conservationist, Leesport, PA 19533-9710

East Penn Railroad, LCC Abandonment Proposal Berks and Montgomery Counties, PA

Farmland Classification



All areas are prime farmland

345.4 acres

Farmland of statewide importance

528.5 acres

Not prime farmland

1056.5 acres

-+ Railroad

Note: Calculations are based on 1000 foot buffer on each side of the railroad.



